UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MISSOURI EASTERN DIVISION

ASSURANCE COMPANY OF)	
AMERICA and MARYLAND)	
CASUALTY COMPANY,)	
)	
Plaintiffs,)	
)	
v.)	Case No. 4:03CV960HEA
)	
SYNTRAX INNOVATIONS, INC., and)	
ACCESS COVERAGECORP, INC.,)	
)	
Defendants.)	

OPINION, MEMORANDUM AND ORDER

This matter is before the Court on Defendant Syntrax Innovations, Inc.'s Motion for Summary Judgment as to Defendant Access Coveragecorp, Inc.'s First Amended Crossclaim, [#131].

On March 3, 2005, this Court granted Plaintiffs Assurance Company's and Maryland Casualty's Motion for Summary Judgment as to Counts I and IV of Plaintiffs' Amended Complaint against Syntrax, rescinding the 2001 and 2002 insurance policies and granting Plaintiffs restitution in the amount of \$976,855.56. Satisfied with the relief granted to them, Plaintiffs filed a motion to dismiss Defendant Access from this cause of action with prejudice, which this Court granted on May 18,

2005.

Because Defendant Access' Crossclaim against Defendant Syntrax sought

indemnity for the claims against it by Plaintiffs, and Plaintiffs have dismissed Access

from this cause of action, Syntrax's Motion for Summary Judgment as to Access' First

Amended Crossclaim is moot.

Accordingly,

IT IS HEREBY ORDERED that Defendant Syntrax Innovations, Inc.'s Motion

for Summary Judgment as to Defendant Access Coveragecorp's First Amended

Crossclaim, [#131], is denied as moot.

Dated this 19th day of July, 2005.

HENRY EDWARD AUTREY

UNITED STATES DISTRICT JUDGE

Hand brand Rule